

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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 IN THE MATTER OF: :  
 :  
 Aki & Muller Corporation :  
 t/a Wheeler Market :  
 4133 Wheeler Rd, SE :  
 License #088832 :  
 Retailer B - License Renewal :  
 Case #14-PRO-00075 :  
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MONDAY, NOVEMBER 10, 2014

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The Alcoholic Beverage Control  
 Board met at 2000 14th Street, N.W., Suite  
 400S, Washington, D.C.

1 P-R-O-C-E-E-D-I-N-G-S

2 10:06 a.m.

3 MEDIATOR FLETCHER: Would the  
4 parties in the matter of Wheeler Market please  
5 come forward, the parties in the matter of  
6 Wheeler Market? Excuse me, everyone? Excuse  
7 me, can you hear in the back?

8 Are the parties present in the  
9 matter of Wheeler Market? Would the parties  
10 in the matter of Wheeler Market please come  
11 forward? Is there anyone present from ANC 8-E  
12 in the matter of Wheeler Market?

13 This is case number 14-PRO-00075,  
14 Aki & Muller Corporation trading as Wheeler  
15 Market, 4133 Wheeler Rd, SE, License Number  
16 ABRA-088835. This is a Retailer B license  
17 renewal. The protest issues are adverse  
18 impact on peace, order, and quiet.

19 My name is LaVerne Fletcher, and I  
20 am conducting the roll call hearing as the  
21 Board's agent, pursuant to D.C. Official Code  
22 1601.2. Introductions beginning with the

1 applicant, please?

2 MR. DIETZ: I'm Bernard C. Dietz.

3 I represent the applicant, Aki & Muller, LLC.

4 MEDIATOR FLETCHER: And Mr. Dietz,  
5 would you please spell your name for the  
6 record?

7 MR. DIETZ: D-I-E-T-Z.

8 MEDIATOR FLETCHER: Thank you.  
9 And your name, sir?

10 MR. BERHE: Aklilu Berhe.

11 MEDIATOR FLETCHER: Would you  
12 please spell that?

13 MR. BERHE: A-K-L-I-L-U, last name  
14 is B-E-R-H-E.

15 MEDIATOR FLETCHER: That was B as  
16 in boy?

17 MR. BERHE: Right.

18 MEDIATOR FLETCHER: E-R-H-E?

19 MR. BERHE: Correct.

20 MEDIATOR FLETCHER: Thank you very  
21 much. And present on behalf of ANC 8-E?

22 MS. ARMSTEAD: Commissioner K,

1 Karlene, K-A-R-L-E-N-E, Armstead, A-R-M-S-T-E-  
2 A-D.

3 MEDIATOR FLETCHER: That was  
4 Karla?

5 MS. ARMSTEAD: Karlene, K-A-R-

6 MEDIATOR FLETCHER: Could you  
7 spell that one more time?

8 MS. ARMSTEAD: K-A-R-L-E-N-E,  
9 Armstead A-R-M-S-T-E-A-D.

10 MEDIATOR FLETCHER: And Ms.  
11 Armstead, you're present on behalf of ANC 8-E.  
12 ANC 8-E does have standing as a protestant.  
13 We'll need to schedule a date for a mediation,  
14 a status hearing, and the protest hearing.

15 Would you please fill out that  
16 contact sheet on the table, the contact sheet,  
17 contact information? Do you have a writing  
18 pen or

19 MS. ARMSTEAD: Yes, I do.

20 MEDIATOR FLETCHER: Okay, if you  
21 would please fill that out, that would be  
22 great. Thank you. We'll need to set a date

1 for a mediation, a status hearing, and the  
2 protest hearing. Mr. Dietz, is your contact  
3 information on that sheet?

4 MR. DIETZ: I put it there.

5 MEDIATOR FLETCHER: You put it  
6 there already? Thank you very much. The date  
7 for the status hearing is December 10 at 9:30  
8 a.m. The status hearing is scheduled for  
9 December 10 at 9:30 a.m. The protest hearing  
10 is scheduled for January 28.

11 MR. DIETZ: I have a trial that  
12 starts on the 26 and it's going to go all  
13 week.

14 MEDIATOR FLETCHER: Okay, Mr.  
15 Dietz, for the purpose of the roll call, I'm  
16 going to give you the date that was provided  
17 to me, and then, you of course know you can  
18 petition the Board to change that date.

19 MR. DIETZ: Okay.

20 MEDIATOR FLETCHER: And you have  
21 the email address for Martha Jenkins

22 MR. DIETZ: Right.

1                   MEDIATOR FLETCHER:  -- General  
2           Counsel

3                   MR. DIETZ:  Yes.

4                   MEDIATOR FLETCHER:  -- to petition  
5           the Board for a new date.  And if you would  
6           copy Ms. Armstead on your petition?  Mr. Dietz  
7           has a court date on January 26 or he's not  
8           available for the protest hearing here on  
9           January 28.  What he's going to do is petition  
10          the ABC Board to change that date.

11                  MS. ARMSTEAD:  Okay.

12                  MEDIATOR FLETCHER:  But the  
13          petition, a copy of the petition needs to be  
14          forwarded to you also.

15                  MS. ARMSTEAD:  Okay.

16                  MEDIATOR FLETCHER:  And we'll need  
17          to set a date for a mediation.  And if the  
18          matter is resolved in mediation, then there  
19          will not be a protest hearing.

20                  MS. ARMSTEAD:  Okay.

21                  MEDIATOR FLETCHER:  So the next  
22          thing we're going to do is set a date for a

1 mediation.

2 MS. ARMSTEAD: For mediation,  
3 okay. Now the date on December 10 is for?

4 MEDIATOR FLETCHER: For December?

5 MS. ARMSTEAD: Yes.

6 MEDIATOR FLETCHER: Yes, the  
7 status hearing is December 10 at 9:30 a.m.  
8 That status hearing is before the full Board.

9 MS. ARMSTEAD: Okay.

10 MEDIATOR FLETCHER: We need to set  
11 a date for a mediation to occur prior to the  
12 December 10 status hearing.

13 MS. ARMSTEAD: Okay.

14 MEDIATOR FLETCHER: So I'll give  
15 you some dates that are available. The next  
16 available date for a mediation is Thursday,  
17 November 20. That's Thursday, November 20 at  
18 9:00, 10:00, 11:00 or 1:00.

19 MS. ARMSTEAD: I can't do the  
20 20th.

21 MEDIATOR FLETCHER: Okay. I'm  
22 sorry, Ms. Armstead, could you speak up for

1 the court reporter, please?

2 MS. ARMSTEAD: Okay, the 20th  
3 would not be a good day for me.

4 MEDIATOR FLETCHER: Okay. What  
5 about we could actually do it on Tuesday,  
6 November 18 as well, Tuesday, November the  
7 18th at 9:00, 10:00, 11:00, or 1:00.

8 MS. ARMSTEAD: 1:00 the 18th.

9 MEDIATOR FLETCHER: Does that work  
10 for you Mr. Dietz?

11 MR. DIETZ: November 18?

12 MEDIATOR FLETCHER: Uh huh, at  
13 1:00 in the afternoon.

14 MR. DIETZ: Yes. So that's next  
15 Tuesday.

16 MEDIATOR FLETCHER: Yes, next  
17 Tuesday, November 18 at 1:00.

18 MR. DIETZ: Okay.

19 MEDIATOR FLETCHER: My card is on  
20 the table if you have any questions beyond  
21 today.

22 MS. ARMSTEAD: Excuse me?



1                   MEDIATOR FLETCHER: My card is on  
2 the table if you have any questions beyond  
3 today.

4                   MS. ARMSTEAD: Okay, I will  
5 definitely contact you. Ms. Fletcher, right?

6                   MEDIATOR FLETCHER: Yes, LaVerne  
7 Fletcher. Any questions today? The roll call  
8 hearing is concluded. Thank you.

9                   MS. ARMSTEAD: All right, thank  
10 you.

11                  MR. DIETZ: Thank you.

12                  (Whereupon, the above-entitled  
13 matter went off the record at 10:14 a.m.)  
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21  
22

<b>A</b> <b>A-D</b> 4:2 <b>A-K-L-I-L-U</b> 3:13 <b>A-R-M-S-T-E</b> 4:1 <b>A-R-M-S-T-E-A-D</b> 4:9 <b>a.m</b> 2:2 5:8,9 7:7 9:13 <b>ABC</b> 6:10 <b>above-entitled</b> 9:12 <b>ABRA-088835</b> 2:16 <b>address</b> 5:21 <b>adverse</b> 2:17 <b>afternoon</b> 8:13 <b>agent</b> 2:21 <b>Aki</b> 1:9 2:14 3:3 <b>Aklilu</b> 3:10 <b>Alcoholic</b> 1:3,15 <b>ANC</b> 2:11 3:21 4:11,12 <b>applicant</b> 3:1,3 <b>Armstead</b> 3:22 4:1,5,8 4:9,11,19 6:6,11,15 6:20 7:2,5,9,13,19,22 8:2,8,22 9:4,9 <b>available</b> 6:8 7:15,16	<b>course</b> 5:17 <b>court</b> 6:7 8:1 <b>D</b> <b>D-I-E-T-Z</b> 3:7 <b>D.C</b> 1:16 2:21 <b>date</b> 4:13,22 5:6,16,18 6:5,7,10,17,22 7:3,11 7:16 <b>dates</b> 7:15 <b>day</b> 8:3 <b>December</b> 5:7,9 7:3,4,7 7:12 <b>definitely</b> 9:5 <b>Dietz</b> 3:2,2,4,7 5:2,4,11 5:15,19,22 6:3,6 8:10 8:11,14,18 9:11 <b>DISTRICT</b> 1:1 <b>E</b> <b>E-R-H-E</b> 3:18 <b>email</b> 5:21 <b>Excuse</b> 2:6,6 8:22	<b>January</b> 5:10 6:7,9 <b>Jenkins</b> 5:21 <b>K</b> <b>K</b> 3:22 <b>K-A-R</b> 4:5 <b>K-A-R-L-E-N-E</b> 4:1,8 <b>Karla</b> 4:4 <b>Karlene</b> 4:1,5 <b>know</b> 5:17 <b>L</b> <b>LaVerne</b> 2:19 9:6 <b>license</b> 1:10,11 2:15,16 <b>LLC</b> 3:3 <b>M</b> <b>Market</b> 1:9 2:4,6,9,10 2:12,15 <b>Martha</b> 5:21 <b>matter</b> 1:8 2:4,5,9,10,12 6:18 9:13 <b>mediation</b> 4:13 5:1 6:17 6:18 7:1,2,11,16 <b>MEDIATOR</b> 2:3 3:4,8,11 3:15,18,20 4:3,6,10 4:20 5:5,14,20 6:1,4 6:12,16,21 7:4,6,10 7:14,21 8:4,9,12,16 8:19 9:1,6 <b>met</b> 1:16 <b>MONDAY</b> 1:13 <b>Muller</b> 1:9 2:14 3:3	<b>petition</b> 5:18 6:4,6,9,13 6:13 <b>please</b> 2:4,10 3:1,5,12 4:15,21 8:1 <b>present</b> 2:8,11 3:21 4:11 <b>prior</b> 7:11 <b>protest</b> 2:17 4:14 5:2,9 6:8,19 <b>protestant</b> 4:12 <b>provided</b> 5:16 <b>purpose</b> 5:15 <b>pursuant</b> 2:21 <b>put</b> 5:4,5 <b>Q</b> <b>questions</b> 8:20 9:2,7 <b>quiet</b> 2:18 <b>R</b> <b>Rd</b> 1:10 2:15 <b>record</b> 3:6 9:13 <b>renewal</b> 1:11 2:17 <b>reporter</b> 8:1 <b>represent</b> 3:3 <b>resolved</b> 6:18 <b>Retailer</b> 1:11 2:16 <b>right</b> 3:17 5:22 9:5,9 <b>roll</b> 1:5 2:20 5:15 9:7
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